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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,441	12/05/2003	Susan Levin	K1C2-44500	9379

26252 7590 08/02/2007
KELLY LOWRY & KELLEY, LLP
6320 CANOGA AVENUE
SUITE 1650
WOODLAND HILLS, CA 91367

EXAMINER

KRASNIC, BERNARD

ART UNIT	PAPER NUMBER
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2624

MAIL DATE	DELIVERY MODE
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08/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/728,441	LEVIN ET AL.	
	Examiner	Art Unit	
	Bernard Krasnic	2624	

All participants (applicant, applicant's representative, PTO personnel):

(1) Bernard Krasnic (Examiner). (3) _____.

(2) Aaron Borrowman (Reg. No. 42348). (4) _____.

Date of Interview: 23 July 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 1 and 10.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Applicants representative, Mr. Aaron Borrowman wanted to explain the difference between his Applicants invention and the prior arts teachings in order to determine how to proceed in the amendment after Non-Final. The Examiner explained that the prior art reference Tracey et al (US 6,139,325) actually taught the essence of the invention. Mr. Borrowman explained that the invention at hand though was different in that it was trying to use the identification code to determine a range of colors that would fall in the same category so when one would want to find a color that is relatively the same, the identification code would be used to look up the different possible combinations that could be used to accomodate that specific wanted color. Therefore, instead of claiming the actual color wheel selector, Mr. Borrowman explained that the Applicantion was aiming at claiming the process of having the consumer associate a wanted color by looking up the manufacturing identifiacion code and having the specific colors that would be applicable to use for that wanted color identification code. The Examiner also mentioned that the dependent claims were not too narrowing because all they essentially did was give a sense of clarification for the broad independent claim. The Examiner showed that the prior art references which are described in the 35 U.S.C. 103 rejection show how a possible name could be assigned to each identification code. However the Examiner could not decide if the suggested amendment could be deemed as allowable because it would need further search consideration.